IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

WRIT PETITION NO : 13209 of 2005

Between:

Tammareddi Raja Rao S/o. Rangaiah,
Pamarru Mandal, Krishna District.

..... PETITIONER

AND

1 The Executive Officer/Person-in-Manager, Sri Venugopalaswamy Temple, Krishna District.
2 Assistant Commissioner, Endowments Department, Vijayawada,

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction, more particularly one in the nature of writ of MANDAMUS and restraining the respondents from evicting the petitioner from the lands admeasuring in Survey No. 3/1, Ac. 3.67 cents in Balliparru Village, Pamarru Mandal, Krishna District including the auction to be held on 21-6-2005 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.A.SURYANARAYANA MURTHY

Counsel for the Respondent No.2: GP FOR ENDOWMENTS

The Court at the admission stage made the following :

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Endowments and with their consent the writ petition is disposed of at the admission stage.

The petitioner contends that he is landless poor person and he has been in possession of the land of an extent of Ac.3.67 cents in Survey No.3/1 situated in Balliparru Village, Pamarru Mandal, Krishna District, belonging to the first respondent for more than 40 years on lease. He has submitted a representation to the first respondent marking copy thereof to the 2nd respondent for declaring him as landless poor.

The statutory rules confers power on the 2nd respondent to determine as to whether a person cultivating the lands of the temple is a landless poor person or not. The petitioner has also submitted a representation dated 2.5.2005 to the first respondent, marking a copy to the 2nd respondent, to declaring him as a landless poor person.

The learned counsel for the petitioner submits that he shall file a detailed representation to the 2nd respondent within a period of one week from today. On such representation being filed, the 2nd respondent, after complying with the procedural requirements prescribed by the Andhra Pradesh Charitable and Hindu Religious

Institutions and Endowments Act, 1987 and the Rules framed thereunder, shall pass appropriate orders thereon within a period of four weeks from the date of receipt of the representation from the petitioner.

The writ petition is, accordingly, disposed of. No costs.

21.06.2005

kpr

To

1 The Executive Officer/Person-in-Manager, Sri Venugopalaswamy Temple, Krishna District.
2 Assistant Commissioner, Endowments Department, Vijayawada,

3 2 copies to the G.P. for Endowments, High Court buildings,

Hyderabad (OUT)

4 2 C.D.copies